GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – RWS&S Department – Allegations of misuse of funds of Rs.10.00 crores in execution of CPWS Scheme to Kolimigundla and other habitations in Kurnool District - Disciplinary proceedings against Sri B. Hareram Naik, the then E.E., RWS&S., Nandyal under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991– Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.Rt.No.988 **Dated:15.10.2015**

ORDER:

It is proposed to hold an enquiry against Sri B. Hareram Naik, the then Executive Engineer, Rural Water Supply & Sanitation, Nandyal in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-II and III).

3. Sri B. Hareram Naik, the then Executive Engineer, Rural Water Supply & Sanitation, Nandyal is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

4. Sri B. Hareram Naik, the then Executive Engineer, Rural Water Supply & Sanitation, Nandyal is informed that an enquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri B. Hareram Naik, the then Executive Engineer, Rural Water Supply & Sanitation, Nandyal is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri B. Hareram Naik the then Executive Engineer, Rural Water Supply & Sanitation, Nandyal is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri B. Hareram Naik, the then Executive Engineer, Rural Water Supply & Sanitation, Nandyal is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri B. Hareram Naik, the then Executive Engineer, Rural Water Supply & Sanitation, Nandyal through the Engineer-in-Chief, Rural Water Supply & Sanitation, Andhra Pradesh, Hyderabad.

(Contd…2)

The Engineer-in-Chief, Rural Water Supply & Sanitation, Andhra Pradesh, Hyderabad (in duplicate with a request to serve and return the dated acknowledgement copy).

Copy to:

The General Administration (Vigilance & Enforcement) Department, Andhra Pradesh, BRKR Buildings, Hyderabad.

The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.

The Panchayat Raj & Rural Development (Establishment - I) Department.

S.f./S.c.

//FORWARDED : BY : ORDER //

SECTION OFFICER

ANNEXURE –I

STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED AGAINST SRI B.HARE RAMA NAIK, EXECUTIVE ENGINEER, RURAL WATER SUPPLY & SANITATION, NANDYAL.

ARTICLE OF CHARGE:

Sri B. Hareram Naik, Executive Engineer, Rural Water Supply & Sanitation, while working as Executive Engineer, Rural Water Supply & Sanitation, Nandyal has committed grave irregularities in the work "CPWS Scheme to Kolimigundla and other habitations in Kurnool District", in as much as:-

(i) He has released retention money and other deposits of the contract agency, through the 100 HP pumps sets procured were not as per the contract agreement. The two pump sets supplied were not in working condition causing a wrongful loss to Government to a tune of Rs.38.00 lakhs.

(ii) He has shown laxity in discharge of duties as he failed to initiate steps for rectification of defects during defects liability period thereby defeating the very purpose of defects liability clause.

BASIS OF THE CHARGE:

The General Administration (Vigilance & Enforcement) Department enquired into the allegation of misuse of funds in execution of CPWS Scheme to Kolimigundla and other habitations in Kurnool District and furnished a report vide Vigilance Report No.12 (C.No.423/V&E/E2/2013), dt:3.9.2014. During the enquiry, the Vigilance & Enforcement Department has found as follows:-

i. Due to change in SSR, price escalation and tender premium the scheme is restricted to 13 villages against proposed 30 villages in DPR. Water is not being regularly supplied to most of the villages in the Kolimigundla segment due to leakage of pipe lines and insufficient pumping capacity of the working pump sets.

ii. The agreement condition specified procurement & erection of two (2) Nos. of vertical turbine pump sets but the Contracting agency procured 2Nos. vertical type submersible pump sets whose efficiency is far less than the vertical turbine pump sets for the given HP rating. The procured vertical type submersible pump sets (2Nos of 100HP each) were kept idle and unused condition in the raw water pump room causing a wrongful loss to Government to a tune of Rs, 38.00 lakhs. Only one 30HP submersible pump set was utilized for raw water pumping up to Feb'2013, which is insufficient to cater the need of the 13 villages.

iii. The pipe line trenches of HDPE & PVC pipes were verified at random and observed that, the HDPE Pipe line was laid at very low depths and found more leakages along the pipe line which results in wastage of water and not ensuring water supply to the villages regularly. The average depth of the HDPE pipe line is 0.75m against 1.20m specified. An amount of Rs. 24,506/- is to be recovered from the contractor towards deficit depth of the trench.

It was further observed during the verification by the General Administration (Vigilance & Enforcement) Department that the rates of pipes were arrived at higher rate than the estimated rates there by making an excess payment of Rs.29,86,330/- towards price variation.

(Contd…2)

Sri B. Hareram Naik, the then Executive Engineer, Rural Water Supply & Sanitation, Nandyal is responsible release of retention money and other deposits of the contract agency, through the 100 HP pumps sets procured were not as per the contract agreement. The two pump sets supplied were not in working condition causing a wrongful loss to Government to a tune of Rs.38.00 lakhs. He also failed to initiate steps for rectification of defects during defects liability period thereby defeating the very purpose of defects liability clause.

Being a Government servant, he failed to maintain absolute integrity and devotion to duty and shown gross negligence towards his legitimate duties, in violation of Rule-3 of APCS (Conduct) Rules, 1964.

Hence the charge.

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE –II

LIST OF DOCUMENTS BY WHICH THE ARTICLE CHARGES FRAMED AGAINST SRI. B. HARE RAM NAIK, EXECUTIVE ENGINEER, RURAL WATER SUPPLY & SANITATION ARE PROPOSED TO BE SUSTAINED

Vigilance Report No.12(C.No.423/V&E /E2/2013), dt.03.09.2014 of General Administration (Vigilance & Enforcement) Department.

Dr.K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE –III

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI B. HARE RAM NAIK, EXECUTIVE ENGINEER, RURAL WATER SUPPLY & SANITATION, ARE PROPOSED TO BE SUSTAINED,

-Nil-

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER